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18 June 2009

TO: Honorable Robert D. Drain

REF: Docket Number 05-44481 (RDD)
United States Bankruptcy - Southern District of New York
One Bowling Green
New York, NY 10004-1408

Dear Judge Drain,

I'm writing you in reference to a motion filed by Delphi Corporation where Delphi wishes to dissolve a severance payment entitlement. This contract was signed by me and a representative of Delphi on December 1, 2008, where I waived certain rights (release of claims) to receive severance payment. This contract severance agreement was entered during bankruptcy. This contract severance payment is a contract liability and not a Delphi provided benefit, as was the loss of my health care and life insurance. I have a valid/binding/legal contract and expect it to be honored.

With the possibility of my pension being transferred to the PBGC, I stand to lose half of my retirement income. I wish to inform you that in my opinion the total liability for continued severance payment is low, and this liability is short term (expires July 2010), after my plant is closed and I'm forced to retire.

Sincerely,

Bascom Smith
Delphi Corp.

